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April 26, 2006

VIA E-FILING

The Honorable Gregory M. Sleet
United States District Court
Federal Building
844 King Street
Wilmington, DE 19801

Re: Felicia Byers v. HSBC Pay Services, Inc.
Civil Action No. 05-711-GMS

Dear Judge Sleet:

HSBC Pay Services, Inc. ("HSBC") is in receipt of Your Honor's order dated March 30, 2006 denying (without prejudice) HSBC's motion to dismiss the action based upon plaintiff's failure to file suit within the required time period. In that order, Your Honor also granted HSBC the right to take limited discovery related to plaintiff's receipt of the right to sue letter as it relates to the ultimate timeliness of plaintiff's lawsuit.

Although HSBC is grateful for the leave to take limited discovery on the issue of the timeliness of the filing, HSBC has determined that it is more prudent at this time to also move forward on the discovery on the merits. In the event it is appropriate, HSBC will present the timeliness issue to the Court at the summary judgment stage of the proceedings, or earlier if the Court prefers.

As such, HSBC, unless Your Honor objects, plans to contact plaintiff's counsel so that the parties can "meet and confer" as to a discovery plan and a proposed scheduling order.

Respectfully,



Kelly A. Green

KAG/kdm

cc: Peter T. Dalleo, Clerk (via hand delivery)
Gary W. Aber, Esquire (via e-filing)